

59-2-1215 Fraudulent or negligently prepared claim -- Penalties and interest -- Procedure.

- (1)
- (a) If the commission or the county determines that a claim is excessive and was filed with fraudulent intent:
 - (i) the claim shall be disallowed in full;
 - (ii) the credit shall be cancelled;
 - (iii) the amount paid or claimed shall be recovered by assessment; and
 - (iv) the assessment provided for in Subsection (1)(a)(iii) shall bear interest:
 - (A) from the date of the claim;
 - (B) until refunded or paid; and
 - (C) at the rate of 1% per month.
 - (b) The claimant, and any person who assists in the preparation or filing of an excessive claim or supplies information upon which an excessive claim was prepared, with fraudulent intent, is guilty of a class A misdemeanor.
- (2) If the commission or the county determines that a claim is excessive and negligently prepared:
- (a) 10% of the corrected claim shall be disallowed;
 - (b) the proper portion of any amount paid shall be similarly recovered by assessment; and
 - (c) the assessment provided for in Subsection (2)(b) shall bear interest at 1% per month from the date of payment until refunded or paid.

Amended by Chapter 221, 2001 General Session

Amended by Chapter 310, 2001 General Session